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10 Toshiba America, Inc., Toshiba America
11 Consumer Products, L.L.C.; Toshiba America
12 Information Systems, Inc., and
Toshiba America Electronic Components, Inc.*

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

16 IN RE: CATHODE RAY TUBE (CRT)
17 ANTITRUST LITIGATION

Case No. 07-5944 SC
MDL No. 1917

19 This Document Relates to

20 *Electrograph Systems, Inc. et al. v. Hitachi, Ltd.
et al., No. 11-cv-01656;*

22 *Siegel v. Hitachi, Ltd., et al.,
No. 11-cv-05502;*

24 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.,
No. 11-cv-05513;*

26 *Target Corp., et al. v. Chunghwa Picture Tubes,
Ltd., et al., No. 11-cv-05514;*

**STIPULATION AND
[PROPOSED] ORDER
EXTENDING THE DEADLINE
TO FILE MOTION TO
COMPEL TOSHIBA TO
RESPOND TO DIRECT
ACTION PLAINTIFFS AND
INDIRECT PURCHASER
PLAINTIFFS' FIRST SET OF
REQUESTS FOR ADMISSION**

STIPULATION AND [PROPOSED] ORDER EXTENDING THE DEADLINE
TO FILE MOTION TO COMPEL TOSHIBA TO RESPOND TO DIRECT ACTION PLAINTIFFS
AND INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSION

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1 *Interbond Corporation of America v. Hitachi, et*
2 *al.*, No. 11-cv-06275;
3 *Office Depot, Inc. v. Hitachi, Ltd., et al.*,
4 No. 11-cv-06276;
5 *CompuCom Systems, Inc. v. Hitachi, Ltd. et al.*,
6 No. 11-cv-06396;
7 *Costco Wholesale Corporation v. Hitachi, Ltd., et*
8 *al.*, No. 11-cv-06397;
9 *P.C. Richard & Son Long Island Corporation, et*
10 *al. v. Hitachi, Ltd., et al.*, No. 12-cv-02648;
11 *Schultze Agency Services, LLC v. Hitachi, Ltd., et*
12 *al.*, No. 12-cv-02649;
13 *Tech Data Corporation, et al. v. Hitachi, Ltd., et*
14 *al.*, No. 13-cv-00157;
15 *Sharp Electronics Corp., et al. v. Hitachi, Ltd., et*
16 *al.*, No. 13-cv-01173;
17 *Sharp Electronics Corp. et al. v. Koninklijke*
18 *Philips Electronics, N.V., et al.*,
19 No. 13-cv-02776;
20 *Siegel v. Technicolor SA, et al.*,
21 No. 13-cv-05261;
22 *Sears, Roebuck and Co., et al. v. Technicolor SA*,
23 No. 13-cv-05262;
24 *Best Buy Co., Inc., et al. v. Technicolor SA, et al.*,
25 No. 13-cv-05264;
26 *Schultze Agency Services, LLC v. Technicolor SA*,
27 *et al.*, No. 13-cv-05668;
28 *Target Corp., v. Technicolor SA, et al.*,
 No. 13-cv-05686;

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1 *Costco Wholesale Corporation v. Technicolor*
2 *SA., et al., No. 13-cv-005723;*

3 *Electrograph Systems, Inc., et al. v. Technicolor*
4 *SA, et al.,*
5 No. 13-cv-05724;

6 *P.C. Richard & Son Long Island Corporation, et*
7 *al. v. Technicolor SA, et al.,*
8 No. 13-cv-05725;

9 *Office Depot, Inc. v. Technicolor SA, et al.,*
10 No. 13-cv-05726;

11 *Interbond Corporation of America v. Technicolor*
12 *SA, et al.,*
13 No. 13-cv-05727;

14 *ViewSonic Corporation, v. Chunghwa Picture*
15 *Tubes, Ltd., et al.,*
16 No. 3:14cv-02510;

17 *The Indirect Purchaser Action.*

18 This Stipulation and Proposed Order Extending the Deadline to File Motion to Compel
19 Toshiba to Respond to Direct Action Plaintiffs and Indirect Purchaser Plaintiffs' First Set of
20 Requests for Admission between the Direct Action Plaintiffs in the cases listed above and
21 Indirect Purchaser Class (collectively "Plaintiffs"), on the one hand, and defendants Toshiba
22 Corporation; Toshiba America, Inc.; Toshiba America Consumer Products, L.L.C.; Toshiba
23 America Electronic Components, Inc.; Toshiba America Information Systems, Inc.
24 (collectively, the "Toshiba Defendants"), on the other hand, is made with respect to the
25 following facts and recitals:

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STIPULATION AND [PROPOSED] ORDER EXTENDING THE DEADLINE
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1 WHEREAS, on March 21, 2014, the Court entered a scheduling order setting the close
2 of fact discovery for September 5, 2014. *See* Dkt. No. 2459;

3 WHEREAS, the deadline to file any motion to compel after the discovery cut-off was
4 September 12, 2014 (L.R. 37-3);

5 WHEREAS, on August 1, 2014, the Plaintiffs served their First Set of Requests for
6 Admission on the Toshiba Defendants;

7 WHEREAS, on September 5, 2014, Toshiba served its Responses to Plaintiffs' First
8 Set of Requests for Admission and stated objections on various grounds;

9 WHEREAS, counsel for the undersigned parties have held multiple telephonic meet
10 and confers to discuss purported deficiencies in the Toshiba Defendants' responses identified
11 by Plaintiffs and have a bona fide intent to continue doing so;

12 WHEREAS, the Plaintiffs and the Toshiba Defendants have conferred by and through
13 their counsel and, subject to the Court's approval, HEREBY STIPULATE AS FOLLOWS:

- 14 1. The Plaintiffs will provide the Toshiba Defendants with a list of 94 documents
15 produced by the Toshiba Defendants in this litigation by October 10, 2014.
- 16 2. The Toshiba Defendants will provide the Plaintiffs with a list of 94 documents
17 produced by the Plaintiffs in this litigation by October 10, 2014.
- 18 3. The Toshiba Defendants will review the list provided by Plaintiffs and inform
19 the Plaintiffs by October 17, 2014 whether they will stipulate that any such
20 documents are authentic and, separately, that any such documents are business
21 records within the meaning of Rule 803(6) of the Federal Rules of Evidence.
- 22 4. Plaintiffs will review the list of documents provided by the Toshiba Defendants
23 and inform the Toshiba Defendants by October 17, 2014 whether they will
24 stipulate that any such documents are authentic and, separately, that any such
25 documents are business records within the meaning of Rule 803(6) of the
26 Federal Rules of Evidence.
- 27 5. The undersigned parties agree to extend the deadline for the Plaintiffs to file a
28 motion to compel relating to the Plaintiffs' First Set of Requests for

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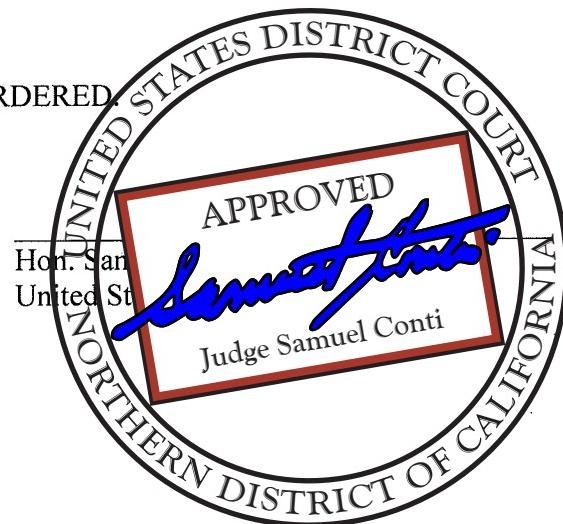
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Admission, to the extent one is deemed necessary by Plaintiffs, to October 24, 2014. The Toshiba Defendants reserve all of their rights in responding to any such motion, including withdrawing any agreement or response they have made with respect to the list of 94 documents provided by the Plaintiffs.

6. No response by the Toshiba Defendants to the Plaintiffs' list of 94 documents shall be deemed a response to any of the requests in the Plaintiffs' First Set of Requests for Admission.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 22, 2014



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2 Dated: October 10, 2014
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Respectfully submitted,

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10 *Liaison Counsel for Direct Action Plaintiffs*

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23 *Purchaser Plaintiffs*

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Lucius B. Lau, attest that concurrence in the filing of this document has been obtained from all signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 10th day of October, 2014, at Washington, DC.

By: /s/ Lucius B. Lau
Lucius B. Lau

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CERTIFICATE OF SERVICE

On October 10, 2014, I caused a copy of the “STIPULATION AND [PROPOSED] ORDER EXTENDING THE DEADLINE TO FILE MOTION TO COMPEL TOSHIBA TO RESPOND TO DIRECT ACTION PLAINTIFFS AND INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF REQUESTS FOR ADMISSION” to be electronically filed via the Court’s Electronic Case Filing System, which constitutes service in this action pursuant to the Court’s order of September 29, 2008.

By: /s/ Lucius B. Lau
Lucius B. Lau (*pro hac vice*)

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